

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-17, 23, 26-28 and 30-33 are pending in the application, with claims 1, 14, 26, 30 and 31 being the independent claims. Claims 24, 25 and 29 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. Claims 1, 2, 7 and 30 are sought to be amended. Applicants believe that the above amendments do not require a further search by the Examiner. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objection to the claims

On page 2 of the Office Action, claim 7 was objected to. Applicants respectfully traverse.

Without acquiescing to the propriety of the objection and to further expedite prosecution, Applicants have amended claim 7 by the above amendment to overcome the objection. Reconsideration and withdrawal of the objection are respectfully requested.

Allowable Subject Matter

Applicants acknowledge indication of allowable subject matter on pages 8-9 of the Office Action with appreciation.

Applicants note the Examiner's statement of reasons for allowance presented on page 8-9 of the Office Action. Applicants reserve the right to demonstrate that the pending and allowable claims are allowable over the references made of record for further reasons related to any of their recited features. Applicants further contend that reservation of this right does not give rise to any implication regarding whether the Applicants agree with or acquiesce in the reasoning provided by the Examiner in the Examiner's statement of reasons for allowance

Rejections under 35 U.S.C. § 102

Claims 1-4, 6, 7, 9-13, 23 and 30 are rejected under 35 U.S.C. § 102(b) as being anticipated by Nakano (U.S. Published Patent Appl. No. 2002/0057425).

Without acquiescing to the propriety of the rejection claim 1 and to further expedite prosecution, Applicants have amended claim 1 to include features of allowable claim 29 and intervening claims 24, 25, while removing a feature not believed to be necessary in combination with the features of claim 1 to distinguish the art of record.

Without acquiescing to the propriety of the rejection claim 30 and to further expedite prosecution, Applicants have amended claim 30 to include features of allowable claim 29 as well as claims 24 and 25, while removing a feature not believed to be necessary in combination with the features of claim 30 to distinguish the art of record.

Claims 1 and 30, as amended, recite in part "at least one plate within the cavity of said base and extending parallel with the pellicle such that said gap region is formed between a surface of said at least one plate and said pellicle; said at least one plate including a pressure balancing plate having a set of holes; wherein said base includes one

or more support members having an adjustable height that extend within said cavity to form a first plenum below said set of holes in said pressure balancing plate" which is not taught or suggested by Nakano.

Since Nakano fails to teach or suggest each and every feature of claims 1 and 30, it cannot anticipate claims 1 and 30. Claims 2-4, 6, 7, 9-13 and 23 depend from claim 1 and are patentable for at least the same reasons as claim 1 from which they depend and further in view of their respective features.

Reconsideration and withdrawal of the rejections are respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 5 and 8

Claims 5 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakano. Applicants respectfully traverse.

As described above, claim 1 is patentable over Nakano. Claims 5 and 8 depend from claim 1 and are patentable over Nakano for at least the same reasons as the independent claims from which they depend and further in view of their respective features.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 24 and 25

Claims 24 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakano in view of Kamono (U.S. Published Patent Appl. No. 2003/0150329). Applicants respectfully traverse.

Without acquiescing to the propriety of their rejection and to further expedite prosecution, Applicants have canceled claims 24 and 25 by the above amendment thereby rendering their rejection moot.

Reconsideration and withdrawal of the rejection are respectfully requested.

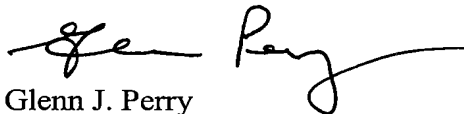
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Glenn J. Perry", with a long horizontal flourish extending to the right.

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